



Entered on Docket  
September 27, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Eighth Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Part Upon Investment In  
The Brookmere Matteson Loan; Except  
For Proof Of Claim Of Charles And Mary  
Parker; And Notice Of Status Hearing On  
Charles and Mary Parker**

Hearing Date: August 30, 2011  
Hearing Time: 10:30 a.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Brookmere Matteson Loan," ("Brookmere Matteson Loan") [DE 8661] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; Charles and Mary Parker sent an informal response to the USACM Trust; no other

1 response to the Objection having been filed; the Court noting on the record that the  
2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to  
3 repayment by the borrower or from the collateral securing the Brookmere Matteson Loan;  
4 and good cause appearing:

5 **IT IS ORDERED** that:

6 1. The Objection [DE 8661] is sustained, except as to Proof of Claim No.  
7 10725-01901 filed by Charles and Mary Parker;

8 2. Except as to Proof of Claim No. 10725-01901 filed by Charles and Mary  
9 Parker, the claims listed on **Exhibit A**, attached, are disallowed to the extent those claims  
10 are based upon an investment in the Brookmere Matteson Loan; and

11 3. A status hearing is set before this Court on September 30, 2011 at 9:30 a.m.  
12 regarding Proof of Claim No. 10725-01901 by Charles and Mary Parker. If a  
13 representative for Charles and Mary Parker fails to appear at the Status Hearing, the court  
14 will consider the response to the Objection to have been withdrawn and it will sustain the  
15 Objection as to Proof of Claim No. 10725-01901.

16 PREPARED AND RESPECTFULLY SUBMITTED BY:

17 **LEWIS AND ROCA LLP**

18 By /s/ John Hinderaker (AZ #018024)

19 Robert M. Charles, Jr.

20 John Hinderaker (*pro hac vice*)

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26

## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

\_\_\_\_\_ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Charles and Mary Parker</u>	
<input checked="" type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

/s/ Charles and Mary Parker

Charles and Mary Parker

14470 Emerald Path

Apple Valley, MN 55124

Email: parkm5@aol.com

Submitted by:

LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)

Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Brookmere/Matteson  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Brookmere/Matteson \$27,050,000 Loan</b>
10725-01507	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou JT WROS	14 Mikinon St Glyfada Athens Greece 16675	30,000.00	Unknown
10725-01508	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou JT WROS	14 Mikinon St Glyfada Athens Greece 16675	30,000.00	Unknown
10725-01509	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou JT WROS	14 Mikinon St Glyfada Athens Greece 16675	50,000.00	Unknown
10725-01510	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou JT WROS	14 Mikinon St Glyfada Athens Greece 16675	50,000.00	Unknown
<del>10725-01901</del>	<del>1/9/2007</del>	<del>Parker, Charles &amp; Mary</del>	<del>14470 Emerald Path— Apple Valley, MN 55124</del>	<del>236,840.31</del>	<del>12,329.00</del>
10725-01910	1/10/2007	Rebecca A Rogers Trust Dtd 9/18/96	Rebecca A Rogers Trustee 2309 Sierra Heights Dr Las Vegas, NV 89134	548,885.18	12,241.81
10725-00245	9/26/2006	Robert H & Lynn R Perlman Trust Dated 9/17/92	C/O Robert H & Lynn R Perlman Ttees 2877 Paradise Rd Unit 3501 Las Vegas, NV 89109-5278	1,187,000.00	25,000.00
10725-02000	1/10/2007	Robert L Ogren Trust Dtd 6/30/92	Robert L Ogren Ttee 3768 Rick Stratton Dr Las Vegas, NV 89120	1,827,483.14	24,483.62
10725-02281	1/12/2007	Roisentul Family Trust	Saul & Ilene Roisentul Trustees 74075 Kokopelli CIR Palm Desert, CA 92211-2075	840,536.32	18,687.15
10725-02444	4/10/2007	Ruth Acosta T/A Liberty Resource Management	2546 General Armistead Ave Norristown, PA 19403	2,718.99	Unknown

**EXHIBIT A**